

DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATION

() Original () Supplemental () Substitute (v) PCT () Design

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: OPTICAL SWITCH, METHOD OF MANUFACTURING THE SAME, AND
INFORMATION TRANSMISSION DEVICE USING THE SAME

of which is described and claimed in:

- () the attached specification, or
 () the specification in the application Serial No. _____ filed _____;
 and with amendments through _____ (if applicable), or
 (v) the specification in International Application No. PCT/ JP03/00401, filed Jan. 20, 2003, and as amended
 on Aug. 13, 2003 (if applicable).

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code, §119 (and §172 if this application is for a Design) of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:


COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
Japan	2002-011342	January 21, 2002	YES
Japan	2002-118900	April 22, 2002	YES

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

APPLICATION SERIAL NO.	U.S. FILING DATE	STATUS: PATENTED, PENDING, ABANDONED

And I hereby appoint Michael R. Davis, Reg. No. 25,134; Matthew M. Jacob, Reg. No. 25,154; Warren M. Cheek, Jr., Reg. No. 33,367; Nils Pedersen, Reg. No. 33,145; Charles R. Watts, Reg. No. 33,142; and Michael S. Huppert, Reg. No. 40,268, who together constitute the firm of WENDEROTH, LIND & PONACK, L.L.P., as well as any other attorneys and agents associated with Customer No. 000513, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby authorize the U.S. attorneys and agents named herein to accept and follow instructions from **AOYAMA & PARTNERS**, as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

Direct Correspondence to Customer No:  000513 PATENT TRADEMARK OFFICE	Direct Telephone Calls to: WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone: (202) 721-8200 Fax: (202) 721-8250
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Full Name of First Inventor	FAMILY NAME YOKOYAMA	FIRST GIVEN NAME Kazuo	SECOND GIVEN NAME
Residence & Citizenship	CITY Hirakata-shi, Osaka, Japan	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP Japan
Post Office Address	ADDRESS 1-30-7, Kitayama, Hirakata-shi, Osaka	CITY Osaka	STATE OR COUNTRY 573-0171 Japan

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Full Name of Second Inventor	FAMILY NAME ASAI	FIRST GIVEN NAME Katsuhiko	SECOND GIVEN NAME
Residence & Citizenship	CITY Nara-shi, Nara, Japan	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP Japan
Post Office Address	ADDRESS 4-235-1-302, Omiya-cho, Nara-shi, Nara	CITY 630-8115	STATE OR COUNTRY Japan

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Full Name of Third Inventor	FAMILY NAME IRIE	FIRST GIVEN NAME Yousuke	SECOND GIVEN NAME
Residence & Citizenship	CITY Nara-shi, Nara, Japan	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP Japan
Post Office Address	ADDRESS 1-44-405, Tsurumai Higashi-machi, Nara-shi, Nara	CITY 631-0021	STATE OR COUNTRY Japan

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Full Name of Fourth Inventor	FAMILY NAME AOKI	FIRST GIVEN NAME Shinichiro	SECOND GIVEN NAME
Residence & Citizenship	CITY Yokohama-shi, Kanagawa, Japan	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP Japan
Post Office Address	ADDRESS 34-105, Mitakedai, Aoba-ku, Yokohama-shi, Kanagawa	CITY 227-0047	STATE OR COUNTRY Japan

Full Name of Fifth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	NOMURA	Kouji	
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
	Shijonawate-shi, Osaka, Japan		Japan
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE
	2-37-8, Tawaradai, Shijonawate-shi, Osaka		575-0013 Japan
Full Name of Sixth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	MORINAKA	Katsuya	
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
	Hirakata-shi, Osaka, Japan		Japan
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE
	1-11, Fujisakakita-machi, Hirakata-shi, Osaka		573-0151 Japan
Full Name of Seventh Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1st Inventor	<u>Kazuo Yokoyama</u>	Date	<u>June 9, 2004</u>
	KAZUO YOKOYAMA		
2nd Inventor	<u>Katsuhiko Asai</u>	Date	<u>June 9, 2004</u>
	KATSUHIKO ASAI		
3rd Inventor	<u>Yousuke Irie</u>	Date	<u>June 9, 2004</u>
	YOUSUKE IRIE		
4th Inventor	<u>Shinichiro Aoki</u>	Date	<u>June 14, 2004</u>
	SHINICHIRO AOKI		
5th Inventor	<u>Kouji Nomura</u>	Date	<u>June 29, 2004</u>
	KOUJI NOMURA		
6th Inventor	<u>Katsuya Morinaka</u>	Date	<u>June 22, 2004</u>
	KATSUYA MORINAKA		
7th Inventor		Date	

The above application may be more particularly identified as follows:

U.S. Application Serial No. _____ Filing Date July 20, 2004

Applicant Reference Number 539996 Atty Docket No. 2004-1148A

Title of Invention OPTICAL SWITCH, METHOD OF MANUFACTURING THE SAME, AND INFORMATION TRANSMISSION DEVICE USING THE SAME